

Refugee Reports

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REGIONAL CONSULTATION REVIEWS FUTURE OF REFUGEE RESETTLEMENT

The next years of refugee resettlement will be defined by a dwindling pool of refugees eligible for admission to the United States and dwindling federal funds to meet the needs of even those already resettled. That was the message administration officials delivered in Atlanta February 25-26 at the first of six regional consultations sponsored by the Office of Refugee Resettlement. The theme of the consultation series is "Refugee Resettlement: A New Decade."

Doug Hunter, director of reception and placement for the State Department's Bureau for Refugee Programs (BRP), analyzed the prospects for refugee admissions in light of federal budgetary pressures and the changing population of refugees in first asylum, particularly in Southeast Asia.

The Gramm-Rudman-Hollings deficit reduction law will, Hunter said, have an immediate impact on FY 86 admissions. The \$15 million cut imposed by Gramm-Rudman-Hollings in BRP's FY 86 budget will have to come mostly from admissions, he said. Overseas assistance provides for refugees' survival needs--food, shelter, medicine--through international organizations already experiencing a fiscal crisis. As a result, the FY 86 admissions ceiling will be reduced from the initial 67,000 to a maximum of 64,000, Hunter said.

The administration's FY 87 budget proposal includes funding for admission of 63,000 refugees. However, the House has already rejected the president's budget; if no alternative is adopted, automatic across-the-board cuts are mandated by Gramm-Rudman-Hollings. State Department officials have made it clear that such cuts would drastically reduce FY 87 admissions.

Hunter said that all aspects of BRP's admissions and resettlement budget are "on the table" for possible cuts, including admissions, English as a second language and cultural orientation, and the per capita reception and placement grants. Thus, he added, the program would look increasingly to the private sector for support of refugee resettlement.

Few Refugees Eligible for U.S. Resettlement Remain

The caseload of refugees eligible for admission to the

IN THIS ISSUE:

Early employment has become a dominant theme in refugee resettlement. This expanded issue of Refugee Reports is devoted largely to employment-related topics. The April issue will also focus on employment--including articles on Fish-Wilson projects and the situation of refugee professionals.

This issue features a report on the regional refugee resettlement consultation held in Atlanta in February. The meeting focused on the future of refugee resettlement.....1

● Update 4

● Recent Developments

ORR proposes new regulations; State Department seeks more voluntary agency accountability in cooperative agreement; Administration seeks end to targeted assistance.....6

● Current Research 14

● Meetings and Conferences

● Reader Exchange 17

● Resources 18

● Statistics

Indochinese Refugee Program as of January 31, 1986.....16

United States is also decreasing, Hunter said. Noting that the emphasis of U.S. resettlement has been on Southeast Asians, he identified three stages in the program.

During the first two phases, Hunter said, the United States has been successfully addressing the need for resettlement from Southeast Asia. Between 1979 and 1982--a period of "crisis response"--an average of 140,000 refugees per year, 110,000 of them Southeast Asians, were admitted to the United States.

During the second phase of "systematic processing" from 1983 to 1986, an average of 40-50,000 Southeast Asian refugees, and 60-70,000 total, were admitted each year. This phase, Hunter said, is ending.

In 1985, the United States completed its review of all qualified Khmer in Thailand and will finish processing all qualified refugees from Laos during 1986, Hunter said. By midyear, he added, even in Hong Kong, there will be no remaining backlog of Vietnamese refugees eligible for resettlement.

The Orderly Departure Program will continue taking Vietnamese of concern to the United States, according to Hunter, but it is not likely that the numbers will expand beyond 8-10,000 per year and an additional 2-3,000 admitted as immigrants.

As a result, Hunter said, "1987 is the last year we can reasonably expect Southeast Asian admissions levels approaching the levels of the past."

Third Stage Sees Shift Toward Regular Immigration Hunter said the United States is entering a third stage of "normal flows" and called upon those involved in the refugee program to help achieve a smooth transition. A key element in the new phase will be the intention to use immigrant visas--preference visas and visas 93--for Southeast Asians who wish to come to the United States for family reunification. He added that those who qualify will still be able to enter as refugees.

The government recognizes that the reliance on immigrant visas means there will be long waiting periods for some categories, Hunter said. Therefore, he urged refugees to begin the process of applying for visas as soon as possible.

Hunter outlined three steps that refugees in the United States should take to facilitate the admission of their relatives

as immigrants. First, he said, refugees should bring their status up to date; after one year, they must adjust their status to that of permanent resident, and after five years, they are eligible for citizenship.

After seeking professional advice from appropriate voluntary agencies or mutual assistance associations, Hunter said, refugees should file the necessary papers to initiate the visa process for their relatives.

Finally, Hunter said, refugees should "meet the challenge of achieving employment and self-sufficiency." This, he said, is the expectation of American society and is stated in U.S. immigration laws. One cannot sponsor someone for immigration unless it can be shown that that person will not be a burden on society, Hunter said, adding that one way for refugees to demonstrate that is to repay their travel loans. He also suggested that service agencies could be helpful in this new phase by learning how to provide immigration counseling.

Immigrants Ineligible for Refugee Services

In response to questioning, Hunter addressed a major issue in the shift from refugee admissions to immigration--the unavailability to immigrants of the kinds of special federally funded services available to refugees.

He recognized that many who enter the United States as immigrants will have the same needs as refugees and will have a significant impact on the communities where they resettle. But he said there were two important reasons for the move toward immigration.

First, there may not be refugee admissions numbers available; if someone can come to the United States via regular immigration and save scarce refugee admission slots for others in need of resettlement, Hunter said, that is good.

Second, with budget tightening going on throughout government, if a relative can sponsor and provide for someone to come as an immigrant, saving scarce federal resources, Hunter said he believes that is the way to do it. He added that there are Congressional concerns about the equitability of so many special refugee services that are not available to native-born Americans.

Deficit Reduction Law Brings Immediate Cuts Phillip N. Hawkes, ORR director,

presented a picture of the new realities facing the refugee program. Dominating his remarks were the implications of the need to achieve budget reductions.

The most immediate effect is that of the Gramm-Rudman-Hollings deficit reduction law on the FY 86 budget. Hawkes said that although the Supreme Court has agreed to rule by July on part of the law found unconstitutional by a U.S. appeals court, the law's effect on this year's budget will not change.

For FY 86, Hawkes said, the law requires a 4.3 percent across-the-board cut in all nondefense programs not exempted. Because the administration understands the law to mean that the reduction required of a program such as ORR cannot be juggled among line items, the agency will not, for example, be able to maintain social services funding levels by using money appropriated for targeted assistance.

The first specific change ORR made to implement the FY 86 cuts, Hawkes said, was to reduce from 36 to 31 months the period for which the federal government will reimburse states fully for cash and medical assistance to refugees.

Further Cuts Proposed for ORR Hawkes summarized the magnitude of the overall FY 87 federal budget reduction that will be necessary to meet Gramm-Rudman-Hollings deficit reduction targets, given current deficit projections. He emphasized that, with almost two-thirds of the Health and Human Services budget exempt from cuts, the cuts will hit non-exempt programs like the refugee program particularly hard.

Hawkes explained the administration's FY 87 budget proposals for the refugee program (see Refugee Reports, vol. VII, no. 2). Included are proposals to Congress to rescind funds already appropriated for FY 86. The proposed "rescissions" would eliminate the appropriations for targeted assistance and education for refugee assistance and reduce the social services appropriation from \$72 million to \$44 million.

Hawkes said the request to rescind social services funds would reduce that appropriation to the level requested in the president's FY 86 budget proposal. The \$72 million, he said, was inappropriately based on earlier admissions levels, but carried forward by Congress in the continuing

resolution currently funding refugee programs.

Like targeted assistance (see related article), elimination of the FY 86 appropriation for education of refugee children was requested in the president's proposed budget, but was kept in by Congress, Hawkes said. The program was intended to be start-up funding for school districts dealing with Southeast Asian refugees for the first time, according to Hawkes. Now, he said, with most resettlement being family reunification, there are few refugee children entering schools that do not already have refugee students.

If Congress does not act positively on the proposed rescissions within 45 working days, Hawkes said, the rescissions will die. It is unclear exactly when that period will be complete because of congressional recesses, he said, so the future of these programs will remain uncertain until sometime in April.

Budget Proposes Refugee Program Changes

The administration's budget request also includes proposals to reduce from 31 to 18 months the period of full federal payments to states for refugees' cash and medical assistance and to place all such assistance under Refugee Cash and Medical Assistance (RCA/RMA), Hawkes said. He described the key advantages of using RCA. In many states, he said, refugees who apply for AFDC are put in the WIN program, which is not equipped to serve refugees, for employment services; as a result, they are not served. By providing assistance through RCA, refugees could be directed to refugee employment services.

Hawkes said the change to RCA would remove two substantial disincentives to taking entry-level jobs. RCA does not have the 100-hour work rule which, under AFDC, results in a loss of benefits to someone who works more than 100 hours in a month. RCA will supplement the income of employed refugees up to the level of their assistance grants. Also, Hawkes said, the change to RCA will allow cash and medical assistance to be separate so a refugee can work and earn money but still be eligible for medical assistance.

ORR Plans Internal Cost-Cutting Moves

ORR is also planning some internal changes

to meet budget-cutting requirements, Hawkes said: further staff reductions in the Washington and regional offices by October; closing the Dallas office by June; and combining the Seattle and San Francisco offices by June 1987.

Hawkes said that other planned changes should contribute to cost savings. ORR is reducing the reporting requirement for states with small refugee programs from quarterly to annual. Also, he said, paperwork is being reviewed to see if it is becoming too heavy. However, he added, extensive reporting is necessary because Congress and the Office of Management and Budget ask for very specific information and because it is right for the federal government to know how its money is being spent.

Hawkes concluded his remarks by emphasizing the continuing problem of high rates of public assistance use by refugees. "The dependency rate is rising and shows no signs of slowing down, even though the California rate is declining," Hawkes said. The national rate is now more than 52 percent. He added that Massachusetts is now attracting secondary migration, with refugees moving there and going on public assistance, not taking jobs. As a result, he said, Massachusetts has replaced California as the state with the highest public assistance access rate.

Refugee Health Needs Identified An overview of refugee health program prospects was presented by Dr. Clifford Culp, director of the Bureau of Refugee Health at the Public Health Service. He said that overseas screening and care of refugees has reached a high level of success, especially in the testing and treatment of TB among Southeast Asians before their arrival in the United States.

In 1985, Culp said, there were two major domestic refugee health initiatives undertaken with ORR. One is a project of ORR and the National Institute of Mental Health to develop within mainstream state mental health agencies the capacity to provide refugees with culturally sensitive diagnosis and treatment. The project includes a contract with the University of Minnesota to establish a center to provide technical assistance to the states.

The other initiative involved grants to states for hepatitis B screening and

treatment. Culp said hepatitis B, a major cause of serious liver disease in Southeast Asia, is very rare in the United States and thus, has the potential to have a serious impact on the U.S. health system.

Culp identified five current needs in the area of refugee health: to increase hepatitis B screening and vaccination; to focus on regions other than Southeast Asia; to assess the impact of bringing Vietnamese to the United States through ODP as immigrants; to increase the ways of addressing refugees' mental health needs; and to maintain flexibility in refugee health activities.

Early Employment, Agencies' Roles Key Issues The Atlanta meeting brought together federal officials as well as state, local, and voluntary agency representatives from the mid-Atlantic and southeastern regions. It included panel discussions on voluntary agency and state perspectives on the refugee program and on the role of mutual assistance associations (MAAs).

Among the issues that brought the most heated discussion were questions about the appropriateness of the increasing emphasis on early employment and about the means of achieving it. Of particular concern to many participants were the new regulations proposed by ORR (see related article).

Another issue that came up repeatedly was the roles of states, voluntary agencies, MAAs, and other service providers and changes in those roles in a time of decreasing refugee arrivals. The need to define those roles clearly was stressed, particularly in regard to those voluntary agencies with State Department contracts for initial resettlement and contracts for providing state-administered services.

Update

* U.S. and Vietnamese Orderly Departure Program officials met under UNHCR auspices in Bangkok March 3-4 to discuss the issues which led to Vietnam's suspension of ODP interviewing in January. Disagreement about the nature of the backlog of people approved by Vietnam for departure is at the center of the dispute. U.S. officials said that both sides felt the meeting was useful and

that it achieved an increased understanding by the Vietnamese that, for ODP to work, those given exit visas must be people of concern to the United States. The Vietnamese now have a better awareness that building up a backlog of those not on the U.S. lists only slows the program down, according to U.S. officials.

However, as no resolution of the issue was achieved, interviewing in Ho Chi Minh City remains suspended. Further meetings are anticipated.

ODP flights are continuing indefinitely, according to the State Department, and an Amerasian flight is expected for the end of March.

Bruce Beardsley, the new U.S. director of ODP in Bangkok, represented the United States at the meeting. An earlier meeting in December in Hanoi failed to resolve the issue and avert the Vietnamese decision to suspend interviewing.

° The State Department has initiated steps to allow resettlement processing of "land" Vietnamese in Thailand with relaxed restrictions on who may be processed, according to department sources. Policies that have limited processing in Southeast Asia to those with ties to the United States (priorities 1 through 5) would be set aside for the land Vietnamese, so processing could include others of concern to the United States (priority 6). There are more than 4,000 land Vietnamese in Site 2 camp near the Cambodian border.

While a final go-ahead for this relaxed processing has not been given, special priority is now being given to the processing of all Montagnards among the land Vietnamese population. The nearly 200 Montagnards in Site 2 are being processed without regard to their previous ties to the United States.

° The administration's proposed FY 87 budget projects 63,000 refugee admissions. More than 68,000 refugees were admitted to the United States in FY 85, and the admission ceiling for FY 86 was established at 67,000. For a variety of reasons, though, it appears there will be reductions in the FY 86 regional ceilings for Africa, Latin America, and East Asia. For Latin America, admissions are expected to be less than 1,000 due to Cuba's 1985 suspension of its short-lived immigration agreement with the

United States. FY 86 admissions from Africa are expected to be approximately 1,200 because the Sudan has suspended refugee movement. The ceiling for East Asia first asylum is being reduced by 2,000 pursuant to Gramm-Rudman-Hollings cuts. Admissions from the Soviet Union/Eastern Europe and from the Near East/South Asia are expected to be very close to FY 86 ceilings.

The original FY 86 regional ceilings and the projected FY 87 regional ceilings are:

	FY 86	FY 87
Africa.....	3,000	3,000
East Asia, First Asylum....	37,000	32,000
East Asia, ODP.....	8,500	10,000
Eastern Europe/USSR.....	9,500	9,000
Near East/South Asia.....	6,000	6,000
Western Hemisphere.....	3,000	3,000
Total.....	67,000	63,000

° The House Subcommittee on Immigration, Refugees, and International Law is expected to "mark up" (i.e., consider for amendments and vote) the Moakley/DeConcini bill (H.R. 822) the first or second week after Congress's Easter recess. The bill offers a temporary stay of detention and deportation for Salvadorans in the United States.

The subcommittee is also expected to consider a bill introduced by House Judiciary Committee Chairman Peter W. Rodino, Jr. (D-N.J.) to adjust to permanent residence the status of Cuban and Haitian entrants who arrived in the United States in 1980-1. The bill (H.R. 23) would, in effect, help Haitian entrants, as Cubans from the Mariel boatlift have already begun to adjust their status under a 1966 law pertaining to earlier waves of Cuban refugees.

° President Reagan expressed his support for pending immigration reform legislation in a March 11 meeting with House and Senate sponsors of the bills. Reagan reportedly said that he would lobby Congress for a comprehensive immigration reform bill. The House bill (H.R. 3810) is due for mark-up before the Judiciary Committee sometime in April. The Senate has already passed its version (S. 1200). Both Senate and House versions include provisions for employer sanctions, for legalization of many undocumented aliens in the United States, for adjustment of status for Cuban and Haitian entrants, and for increased appropriations for immigration enforcement at the border.

The Senate bill differs from the House version most significantly in its provision allowing 350,000 guest workers to be admitted per year for agricultural work.

* The House of Representatives rejected President Reagan's budget proposal for FY 1987 by a 12-312 vote on March 13. The proposal, while meeting the Gramm-Rudman-Hollings deficit target of \$144 billion, called for a significant eight percent inflation-adjusted increase in defense spending and major reductions in many domestic programs. Among the programs the administration proposed eliminating were the Small Business Administration, urban development grants, the Legal Services Corporation, and new housing for the elderly and handicapped. Major cuts were proposed for medicare, medicaid, and the Job Corps.

* The Office of Refugee Resettlement (ORR) is slated to be moved from the Social Security Administration (SSA) to a new unit in the Department of Health and Human Services (HHS) to be called the Family Services Administration, according to the March 18 Washington Post. The new unit is part of a major planned reorganization that will include six programs: Aid to Families with Dependent Children; the low-income energy assistance program; the Child Support Enforcement program; the community services block grant (which the administration wants to abolish); the Work Incentive Program (which the administration also wants to abolish); and the refugee assistance program. In FY 87, the six programs are expected to total \$11.5 billion in federal outlays, according to the Post.

* Unaccompanied minors are defined as refugee children who enter the United States unaccompanied by parents or other legal guardians who are not "destined to" a parent or close adult relative willing and able to care for the child or to any other adult with legal custody, according to final regulations from the Department of Health and Human Services published in the January 30 Federal Register. The new definition is intended to exclude children who might enter the country unaccompanied, but for the purpose of family reunification. The regulations also mandate that legal responsibility for the minor be established within 30 days

of resettlement in the state. In certain rare cases, the new regulations would permit adoption of unaccompanied minors.

* Closing arguments are tentatively scheduled for April 1 in the Tucson "sanctuary" trial of eleven defendants charged with smuggling aliens. According to a March 19 story in the New York Times, the date was set by presiding Judge Earl H. Carroll after the defense team, in a surprise move, rested its case without calling a single witness. On March 17, the Christian Science Monitor reported that defense attorneys rested because they believed the government had not proven its case. Defense attorney Michael Piccarreta told the Monitor, "In our opinion...we won. There is no case. These people are not criminals."

The government, represented by INS attorneys, maintains the defendants are guilty of alien-smuggling and conspiracy charges. Defense attorneys have attempted to show their clients acted out of compassion for Central Americans fleeing persecution.

For various reasons, on several separate occasions, defense lawyers moved that the judge remove or "recuse" himself from the trial. Each motion was denied. After the defense rested, the judge reportedly said, "There is no sanctuary defense." This prompted a mistrial motion from defense attorneys, according to the New York Times. The mistrial motion was refused.

The indictment, which originally included over 70 counts, now contains 32, some of which carry maximum penalties of five years and \$10,000 in fines.

* A federal appeals court has rejected the State Department's denial of temporary visas solely on the basis of aliens' communist affiliations. In a 2-1 vote, the panel ruled on March 11 that a visa must be granted unless the administration can certify to Congress that an alien's visit would threaten national security.

Recent Developments

PROPOSED ORR REGULATIONS AIM FOR EARLIER REFUGEE EMPLOYMENT

Inducements for early economic self-sufficiency have been the subject of debate

during the comment period for proposed Office of Refugee Resettlement regulations governing the state-administered refugee resettlement program.

The new regulations, if put into effect, will require recipients of or applicants for Refugee Cash Assistance (RCA) to spend 20 hours per week searching for a job. Participation in employment services can be included as part of the 20 hours and the time requirement may be expressed in terms of number of employer contacts. (The formula is unspecified in the rules.)

The 20-hour rule is intended to focus resettlement programs on early job placement, according to the supplementary information published with the proposed rules in the January 30 Federal Register. Some state coordinators and service providers maintain that the requirement is inflexible and does not allow for individual program judgment.

Daniel Lam, state coordinator for Massachusetts, asked, "How can an individual without even basic language conduct a job search? Many newly arrived refugees don't even know how to ride a bus."

Bruce Bushart, New York state coordinator, said, "In some smaller counties, it would be embarrassing to send large numbers of refugees to bother employers just to meet a regulatory requirement when you know they don't have openings." Bushart called the 20-hour rule, and the thrust of the ORR-proposed rules as a whole, a "quick regulatory fix." He commented that the push for early employment, as opposed to lasting employment, is a "false economy" because refugees are "stuffed into jobs before they are ready."

Cost of Monitoring Job Search Questioned

Barbara Bazluki, director of Catholic Social Services in Charlotte, North Carolina, said her agency simply wouldn't be able to afford the money and staff time it would take to monitor the refugee job search. She added that the way her office succeeds in placing refugees is by having a staff "job developer" make the employer contacts rather than the refugees themselves.

Walter Barnes, chief of refugee services for California, asked, "Who is going to pay for activities related to the job search?" Even though monitoring the job search would be to determine eligibility for the refugee

cash and medical assistance (RCA/RMA) program, Barnes said the regulations imply that the cost would fall on state social service budgets. "If the money comes out of the social services pot," he said, "it will amount to very little. If it comes out of RCA/RMA, it will cost the federal government more." Barnes said that states should be able to claim the costs of monitoring the job search against the RCA program.

John Oppenheim, employment and training program administrator for Santa Clara County, said that he estimates that California would have to spend \$7-10 million to monitor the job search. He said, "I have no philosophical objection to a mandatory job search requirement, but it may not be cost effective."

Early Employment Given Priority Over Training

The regulations are intended to discourage agencies from postponing the job search while refugees undergo language and vocational training during their 18 months of RCA eligibility. Training which is offered during normal working hours cannot substitute for the employment search or job acceptance, according to the proposed regulations.

In order to maximize the time available for working and seeking work, the proposed regulations require that English language instruction and vocational training be provided "to the fullest extent feasible" outside normal working hours.

In fact, in managing a refugee's case, "employability services"--comprising a required 85 percent of states' support service funds--are prohibited from being "scheduled or provided at such time as to interfere with a refugee's required job search activities." Exceptions are made only for on-the-job training and employment and employability-assessment services.

The scheduling of language classes and vocational training outside normal working hours "will cause problems" for Massachusetts providers, according to Lam, but Bazluki said such scheduling is already practiced in North Carolina.

The proposed regulations would require a refugee to accept an appropriate job offer, even if it interrupts participation in service programs, unless those services are provided outside normal working hours.

Bushart said that he would welcome

regulations that would address the management problem of controlling refugees who stay in ESL and job-training programs too long, but that the proposed changes are "draconian" and will "discourage training." He said that the requirement that employability services not be scheduled at a time that would interfere with a refugee's job search contradicts the state's commitment to use mainstream resources such as job training programs for refugees whenever possible.

Alicia Cooper, director of the International Rescue Committee in Orange County and chair of the California Forum on Refugee Affairs, agreed that requiring ESL and vocational training during off-hours "will definitely change the way agencies and providers operate," but said, "I personally see it as a very positive step."

RCA Case Unit Would Change from Family to Household The definition of the "filing unit" for refugee cash assistance is proposed to change from the current family unit to all persons living in the same household. ORR says that the household concept "will result in more fair and equitable levels of assistance which are generally more in line with assistance available to nonrefugees." ORR points out that the household unit is currently used for food stamp eligibility. It says that in refugee households that include recipients of aid to families with dependent children (AFDC), supplemental security income (SSI), or general assistance (GA), only the RCA recipients will be affected by the new filing unit.

Lam said, "We don't understand the rationale for this change. AFDC families and GA families are not treated this way. Why the inequity for refugees?" Bazluki added that the proposed change would be a disincentive to work since a single person placed in a household with a family would be reluctant to go to work if he felt that by doing so he would make the other members of the household lose their grants. She said that her agency often places single adults together or with a family since they wouldn't be able to afford housing otherwise. Refugees will be less likely to sponsor unrelated friends, she said, if they fear it will result in a loss of benefits.

Proposal Includes Sanctions for Failure to

Accept or Keep Employment The proposed regulations include the termination of refugee cash and medical assistance for refusal to accept a job offer or for voluntarily quitting a job. Lam expressed reservations about the sanctions, saying that the attitude in Massachusetts, "since day one has been that a person will go to work when he is ready and that to ask a person to function on a job prematurely creates a psychological sense of defeat which will jeopardize future job placement." Barnes, on the other hand, said that the proposed sanctions are consistent with those presently in force in California.

Social Services To Be Closed to Time-Ineligible Refugees The regulations also would prohibit nonemergency support services for refugees in the United States more than 36 months, unless a state can demonstrate "extreme and unusual needs" for the time-ineligible population.

Most of the refugees in California, including a large number of secondary migrants, are time ineligible, according to Barnes. He said that under the proposed regulations California would end up assuming the costs for assisting that refugee population still in need. But Cooper commented that "at some point, a refugee is no longer a refugee. There comes a time when they must meld into the general mainstream."

Lam said that cutting off time-ineligible refugees from social services was a moot point, since the level of funding from ORR is inadequate to meet even the needs of time-eligible RCA recipients.

85 Percent of Grants Still Designated for Employability Services Continuing a policy established in 1985, the proposed rule would continue to require at least 85 percent of state support service grants to be spent on "employability services." These include employability assessment, the development of an individual employability plan, on-the-job training, case management, and other services specifically directed toward employment. The remaining 15 percent of support service funds may be used for services not connected with employment or employability--information and referral, outreach, and social adjustment services. Social adjustment services include nonemployment related health care, day care, transportation, home

management, emergency services, and case management.

Although the regulations provide a waiver for states in certain circumstances, Nancy Wittenberg, refugee program coordinator for Florida, said, "The 85/15 breakdown is too inflexible" and commented that it is too difficult to show the "extreme need" required for a waiver. "Any time you over-regulate," she said, "you leave out the ability to be in front of the curve, to anticipate breakdowns in families or other problems that might affect employment." Bushart agreed that more flexibility is needed, and suggested an 80/20 percent split.

Final Regulations Ratify Current Practice in Grants to States

On the same day the proposed rules appeared in the Federal Register, final regulations governing refugee resettlement program grants to states were published. The final regulations deleted an initial proposal to replace separate grants for RCA, RMA, social services, education assistance for refugee children, child welfare services (except for unaccompanied minors), and targeted assistance with consolidated, per capita, quarterly grants to states.

The final regulations continue the current policy under which states may claim federal funding for RCA and RMA for eligible refugees during their first 18 months in the United States and for general assistance during the second 18 months in the country.

The regulations eliminate the requirement that states establish advisory councils, but do require states to meet with local representatives of voluntary resettlement agencies and local government representatives to plan and coordinate refugee placement.

ORR Welcomes Comments on Proposed Rules

Phillip N. Hawkes, ORR director, declined to comment on any of the controversies generated by the proposed regulations. "I don't want to cloud the response by commenting," he told Refugee Reports. "I want people to respond to what the rules say, not to what I say." Hawkes said that ORR has a sincere desire for comments and a good record of being responsive to them.

Phil Holman, director of ORR's division of policy and analysis, suggested that those

who disagree with the proposed rules should recommend other ways to reduce the high dependency rates of refugees on public assistance.

The comment period on the regulations is open until April 30. Comments should be addressed to Christie Cohagen, Office of Refugee Resettlement, Department of Health and Human Services, Room 1229, Switzer Building, Washington, DC 20201.

NEW COOPERATIVE AGREEMENT IN WORKS: STATE DEPARTMENT SEEKS MORE VOLAG ACCOUNTABILITY

Current discussions between the State Department and the voluntary agencies are expected to lead to new language for the cooperative agreement governing voluntary agency reception and placement of refugees.

Responding to pressures, particularly Congressional concern that high refugee public assistance dependency rates mean that some voluntary agencies are not doing a good job of resettlement, the State Department is looking for ways to build more accountability into the new contract. Early employment--the catchword in refugee resettlement these days--lies at the heart of the changes being considered.

Three key pressures have contributed to the effort to introduce more accountability, according to Doug Hunter, director of reception and placement in the Bureau for Refugee Programs (BRP). Congress has called for greater accountability and some kind of voluntary agency performance standards, Hunter said; the reports accompanying pending Refugee Act reauthorization bills stress the need for such standards.

The second pressure Hunter identified is a General Accounting Office (GAO) report expected to be released by the end of March. The GAO report, itself a result of congressional concern about voluntary agency performance, focuses on the need to clarify the goals of the refugee resettlement program. A primary recommendation is expected to call for measurable voluntary agency performance standards, particularly relating to the need for early employment.

Discussions to Lead to New Contract by Fall Hunter said that while nothing concrete has been worked out yet, detailed discussions are going on, and he expects

new language to be completed in time to allow requests for proposals this summer, resulting in agreements for FY 87 participation in the resettlement program.

Wells Klein, executive director of the American Council for Nationalities Service and chairman of InterAction's refugee and migration affairs subcommittee on domestic concerns, said that discussions were well along toward agreement on new contract language that would respect the concerns of the State Department and the voluntary agencies. Klein said there is fundamental agreement about the goals of proposed changes, but that further discussion is needed to achieve language that responds to the pressures for accountability and to what the agencies see as appropriate and responsible resettlement.

Hunter said three main areas are being discussed with the voluntary agencies: reporting requirements, standards for "local presence," and the placement of free cases--those refugees whose placement is relatively flexible because they are not entering the United States to be reunited with family.

"Free Case" Placement to Lead to Early Employment It is the concern about early employment, and the voluntary agency role in promoting it, that has led to the discussion of free case placement. Klein said he agreed with Hunter's point that family reunion cases are appropriately placed where their families are, so it is impossible to discuss placing them where there are good employment prospects. With free cases, however, there is some flexibility to place them where job prospects are good, Klein said.

The purpose of these discussions, Hunter said, is to develop performance standards to assure that free cases are being placed where they have the highest probability of being self-sufficient at the earliest possible date.

A variety of ways to measure successful placement of free cases is under consideration, Hunter said. One is to track the employment of free cases resettled by each voluntary agency, by location. Another would be to measure the incidence of secondary migration, again by voluntary agency and location.

Volag Responsibility for Refugee Self-Sufficiency Difficult to Define Hunter

said no precise measure had been developed yet due to the complexity of defining what constitutes successful placement. The dilemma is balancing the short period of voluntary agency contractual responsibility with a desired outcome that cannot reasonably be expected for a much longer time, Hunter said. He added that he hoped the voluntary agencies will offer a workable approach to measurable outcome standards.

Klein felt there was no fundamental disagreement between the State Department and the agencies about the concept of assuring that free cases be placed where their chances for self-sufficiency are good. "The complex question," he said, "is how to translate that basic concept into contract language that can be monitored and managed."

Klein said there was an important catch in the employment issue--variables related to who becomes employed how soon and who receives public assistance under what circumstances are outside the control of the State Department and the voluntary agencies. Yet, he said, congressional criticism has focused on the voluntary agencies and, by implication, the State Department.

"One could wish that people in the Congress exercised their responsibility with greater depth of knowledge and took a bit more time to understand a complex program, its parts, and how they relate," Klein said.

Standards for Local Presence in Resettlement Discussed Another area where there seems to be agreement in principle, but complexity in the details, is "local presence." At issue is assuring that there is a responsible presence wherever refugees are resettled. In particular, Hunter said, this entails establishing definitions and standards for entities resettling refugees in a community on behalf of a voluntary agency.

Klein said the discussions of what constituted appropriate local presence included questions of how to define a responsible party and how near to the location of placement that party must be. He said that what the State Department is proposing would affect each voluntary agency differently, depending on agency structure.

Better Reporting Called For New reporting requirements will be designed to address congressional concerns about both fiscal and programmatic accountability.

The State Department will require financial reports to be more detailed on the use of federal funds and the amount of private contributions agencies apply on behalf of resettled refugees, Hunter said.

On the program side, he said, the State department will require more uniform documentation of services provided as specified by the cooperative agreement.

Klein said that the reporting system needs improvement and, if possible, simplification. "There needs to be a paper trail, but not so much that it interferes with the work of resettlement," he said.

Changes Good, But Difficult "While the State Department and the voluntary agencies do not have statutory responsibility for refugee employment," Klein said, "it is a matter of first-order concern because unemployed refugees receiving public assistance do constitute a significant drain on federal dollars." Ultimately, he suggested, that drain undermines support for generous policies toward refugees.

"Again, what we are working toward is language that respects both the State Department's need for accountability and the nature of the voluntary agencies, the contributions they have made to resettlement, and the difficulties they face," Klein said.

He noted that in 1975, the per capita reception and placement grant to the voluntary agencies was \$500; now it is \$560. The inflation rate has far outpaced this increase, he said. At the same time, with diminishing arrivals, the agencies face diseconomies of scale. As the relationship with the State Department has become more codified, agencies' administrative and reporting responsibilities have become more expensive and time-consuming, Klein said.

Klein said that the continuing need to do more with less makes the proposed changes difficult. The State Department and the voluntary agencies might not like it that the bulk of congressional criticism has fallen on them even though their total share of annual U.S. refugee resettlement funding is small, Klein said. But both agree that, despite the difficulties, they cannot and do not want to opt out of resettlement.

"For the State Department, it is a foreign policy and humanitarian matter," Klein said. "To the voluntary agencies, helping refugees is what we exist for."

MOVE TO RESCIND TARGETED ASSISTANCE SPARKS CONTROVERSY

The Reagan administration has renewed its opposition to the targeted assistance program by calling upon Congress to rescind FY 86 funding and to eliminate targeted assistance from the FY 87 budget.

On March 20, Phillip N. Hawkes, director of the Office of Refugee Resettlement (ORR), testified before the subcommittee on labor, health and human services, and education subcommittee of the House Appropriations Committee that, despite \$150 million in targeted assistance grants to states last year, refugee unemployment had risen by four points nationally.

Targeted assistance began in FY 82 with a \$35 million appropriation for states serving large numbers of Cuban and Haitian entrants. In FY 83, the focus of the program shifted toward reducing refugee and entrant dependence on public assistance, and funding increased to \$66 million. Grants were disbursed to 44 counties in 20 states on the basis of refugee population, concentration, and usage of public assistance.

In FY 84 and FY 85, Congress funded targeted assistance at levels above the administration's request. The administration, in its FY 87 budget proposal, states that targeted assistance funds appropriated in FY 85 "are expected to last well into 1987, requiring no additional funding in 1986."

ORR Director Criticizes Targeted Assistance Failure to Serve Hard-to-Place Refugees

Speaking before the ORR regional consultation in Atlanta, February 25 (see related article), Hawkes said he was not optimistic that Congress would agree to rescind the FY 86 budgetary authority. "Even if we don't get the rescission," he said, "we need to rethink targeted assistance--the rules of eligibility and the way funds are distributed."

Hawkes questioned whether the targeted assistance program truly accomplished its goal of reducing unemployment. He told the Atlanta gathering that many of those served by the program were "highly placeable," rather than the hard-to-employ that the program was intended to serve. "We were training the already trained," he said. Hawkes cited examples of employed refugees quitting their jobs in order to participate in

targeted assistance programs and of programs in which participants who were on public assistance represented only about 10-15 percent of the total.

Hawkes was particularly critical of Los Angeles County, which, he said, had a high population of refugees on public assistance, yet had spent 80 percent of targeted assistance funds on refugees not on public assistance. Hawkes said that their good job placement records were misleading because Los Angeles tended not to serve hard-to-employ refugees.

Los Angeles County Responds Joan Pinchuk, Los Angeles County refugee coordinator and project manager for targeted assistance, told Refugee Reports that the conclusions Philip Hawkes drew were "grossly inaccurate," because they were made on the basis of a statistically invalid sample. She said that ORR reviewed 96 of 3,000 cases and found 80 percent of them not to be on welfare (although all met poverty guidelines, making them eligible for the program). Her office's review of 5,000 refugee and entrant participants in the first year of the program showed more than half to be cash-assistance recipients. "We thought we did quite well," she said. Prior to the time Hawkes spoke in Atlanta, she said, ORR had been informed that 64 percent of the clients served, and 57 percent of those placed, were on welfare.

Walter Barnes, California's chief of refugee services, said, "I feel Hawkes' criticism is unjustified. It would have been appropriate a year ago, but we have taken all the corrective measures they asked us to take to ensure that 50 percent of those served and placed are on cash assistance."

Hawkes told Refugee Reports that while there may have been a larger number of refugee cash assistance (RCA) recipients than the sample indicated, "that really is beside the point since RCA recipients are here less than 18 months and tend to be single and the most employable."

Hawkes said, "By their own statistics, they have an incredibly large clientele of very needy people who are not being served." He added that comparing the Los Angeles sample with those taken from San Diego and other counties shows that "there is nothing to suggest the sample was invalid." Hawkes

said that Los Angeles County was only spending 4-5 percent of its targeted assistance money on the hard-to-place.

Lack of Definition for "Hard-to-Serve"

Pinchuk said that ORR was vague about defining "hard-to-serve." She said that everyone has a different definition, adding that "ORR was arbitrary and capricious to say that the people we placed would have gotten jobs anyway."

Sue Manzo, director of Manpower Services for Fairfax County, Virginia, agreed that ORR never made clear that "hard-to-place" meant "on welfare." She asked, "Did ORR ever tell counties to direct targeted assistance to hard-to-serve clients on welfare?"

In a similar vein, Bruce Bushart, New York refugee coordinator, said, "We were never told what the standards were." He added that New York developed its own standards for the targeted assistance program, and "built a percentage of the hard-to-place into our structure."

In responding to these criticisms, Hawkes told Refugee Reports, "It never occurred to me that targeted assistance would deal with people who were already employable." He said that if Congress decides to continue targeted assistance, "We intend to make much more straitjacketed the requirements about whom to serve and what outcomes we expect."

Impact of Hard-to-Serve on Placement Outcomes Evaluated

Some have questioned the administration's current emphasis on the hard-to-place. John Oppenheim, employment and training administrator for Santa Clara County, said, "It's one thing to talk about working with the hard-to-place. But what is the point of placing a father of ten in a \$5-per-hour job and have him lose his AFDC benefits?" He commented, "It's asking the refugee to commit economic suicide." Oppenheim said that if Santa Clara County concentrated on the hard-to-place, ORR would have to realize that "we wouldn't have nearly the results." He estimated that such a program focus would serve a third of the present caseload at triple the cost.

Barnes explained that counties began to serve a larger portion of non-recipients of public assistance because ORR had been so concerned about placements. He said that ORR cut off grants to three counties at one

point because of low placements, "so the counties tried to find the easiest people to place to ensure that funding would still be there."

Hawkes acknowledged that ORR reacted "very strongly" to preliminary data indicating very high costs per placement. But he maintained that counties did not, in fact, change their programs as a result of the ORR criticisms. "The types of programs didn't change from 1983 to 1985," he said.

A September 1985, ORR-contracted report evaluating the first phase of the targeted assistance program touches on the relationship between the employability potential of clients and placement outcomes. The study found that "there is little or no difference between the employability potential of the clients served in the high and low-outcome categories." The report notes that this is a "surprising" finding, since "one might expect the higher-outcome projects to be serving the easier-to-place clients."

Dade County Worried About Loss of Targeted Assistance Funds The state for whom targeted assistance was originally created, Florida, probably has the most to lose if funding for the program is terminated.

"Any severe restriction in targeted assistance would have serious fiscal repercussions on Dade County," said Eileen Maloney-Simon, assistant to the county manager. She explained that targeted assistance grants are used to fund services at the Jackson Memorial Hospital (which incurs costs of \$1.2-1.7 million per month for Cuban and Haitian entrants); to provide day-care; to fund mental health programs; and to underwrite costs to the criminal justice system resulting from an average daily population of 350 entrants in the county jail system.

"We oppose any rescission of funds, and we strongly oppose any employment-related restrictions," said Maloney-Simon. She maintains that the intent of Congress was never that targeted assistance would be exclusively employment-related.

A 1985 white paper on immigration from the Dade County Manager's office holds that the change in ORR's focus toward using targeted assistance exclusively for employment represented a "serious philosophical chasm" between Florida and the federal government which "has created severe problems in local program operations, some of which are

insurmountable."

Dade County management personnel feel that the county would be unable to offset a loss of targeted assistance funds with other sources of revenues. Robert Bernal of the county manager's office explained that Florida has no income tax and that Dade County has already reached the property tax limit set by the state constitution. "God forbid if we lose targeted assistance," he said.

Criminal Justice System Faces Core of Habitual Offenders

"The population we deal with," Maloney-Simon said, "is not just hard to place, it's the hardest to place." Referring to the large impact of Cuban entrants from the Mariel boatlift, she said, "The normal screening process and resettlement did not take place with these folks." She said that many employers simply will not hire them.

Dade County criminal justice personnel have seen a "hardening" in the Cuban entrant population with a "revolving door" of repeat offenders. A typical entrant booked on a misdemeanor charge has nine prior misdemeanor arrests, and entrants charged with felonies have an average of five prior felony charges. Although comprising 6 percent of Dade county's total population in 1985, Cuban entrants represented 8.4 percent of felony and 22 percent of misdemeanor charges, according to Eduardo Diaz, director, and Maria Sierra, entrant services director, for Dade-Miami criminal justice services in a joint interview with Refugee Reports.

Dade County has initiated job-training programs using targeted assistance funds for the estimated 15 percent of the Mariel entrants who continue to have criminal and mental health problems. Diaz and Sierra said, however, that it is hard for this group to hold down jobs even after placement. They cited a lack of support resources, such as boarding houses and mental health care facilities, as well as the development of a criminal subculture, as serious obstacles to long-term solutions to the problem. Diaz and Sierra explained that the first step toward employment is removing barriers such as drug and alcohol dependency, mental illness, and lack of basic skills.

Hawkes Critical of Florida Targeted Assistance Spending "Cuban entrants are not a

welfare burden," said Hawkes, saying that an estimated two-thirds became taxpayers even before their benefits expired. He lauded the Cuban entrants for their successful integration into the Dade County school system. He said that Florida has received \$169 million in social services and targeted assistance since 1980, amounting to \$1,241 per refugee and entrant. In contrast, he said, California, with twice as many refugees and entrants, received \$196 million for the same time period, at an average of \$680 per refugee and entrant. All other states significantly trail California and Florida. "We have treated Florida with extreme generosity," said Hawkes, "but we do not want to be perpetually funding one state."

Hawkes said that spending \$6 million in targeted assistance funds at Jackson Memorial Hospital "has been all out of proportion to federal funds expended anywhere else."

As to continuing problems in the Dade County criminal justice system, Hawkes said, "I don't have a whole lot of sympathy." He said the Refugee Act had no intent to fund law enforcement and that funding should come from the Justice Department if the problem is considered a continuing federal responsibility. "I don't think the refugee program of the United States should be held hostage to their criminal justice system," he said.

Current Research

STUDY LOOKS AT REFUGEE ADAPTATION TO UNITED STATES

Although Southeast Asian refugees face a bleak present characterized by unemployment, underemployment, and poverty, each year an increasing percentage become employed and escape poverty, according to a recent study by the Refugee Policy Group (RPG).

The study, Adaptation and Integration of Recent Refugees to the United States, by Susan Forbes, discerns a resettlement pattern in which economic dependence shrinks from three-quarters of all refugees in their first year of resettlement, to slightly more than half in the second year, to about one-third at the end of the third year. The

quarter of the refugee population that continue to rely on public assistance after the first 36 months tend to be the elderly, single parents, or families with large numbers of children.

The report presents data that indicate a lowering of unemployment rates the longer refugees remain in the United States. In 1984, refugees who had arrived in 1975 had an unemployment rate of 6.3 percent, in contrast to those who had arrived in 1981 with a rate of 16.4 percent. The 1983 arrivals with a 35.6 percent rate in 1984 and the 1984 contingent with a 41 percent unemployment rate the same year show how the more recent arrivals have higher unemployment rates.

Various Factors Influence Prospects for Self-Sufficiency The RPG report discusses several previous studies of the causes of refugee unemployment. According to a 1984 study by Robert L. Bach, one of the most important predictors of future employment appears to be the refugee's educational level prior to arrival in the United States. Factors such as language proficiency and ethnicity were found to be less significant than previous education and the year of arrival.

Larger households were also determined to have a negative impact on employment. In fact, refugees living alone or in multiple-family groupings--a minority of the Southeast Asians--were shown to be more likely to seek and find work than people living in nuclear or extended families.

Forbes found that evidence was inconclusive regarding the influence types of sponsorship have on employment. She cited Bach's finding that refugees settled by American families had higher labor force participation rates than those assisted by congregations, relatives, or professional staff. A study by the Institute for Social Research (ISR) in 1985, however, found sponsorship models to have no independent effect on self-sufficiency.

Going beyond the matter of sponsorship per se, RPG concludes that "the service programs that have been established to assist refugees, whether sponsorship models, employment services or language training, appear to have only a marginal impact on economic self-sufficiency."

Language Training Programs Delay Early Self-Sufficiency but Increase Income During the period of language training, refugees generally do not seek work, the study found. Based on data from the Northwest Regional Educational Laboratory showing relatively low percentages of refugees simultaneously working and taking English language classes, the RPG report suggests that employed refugees are less likely to have the time for language training or the need for it. Unemployed refugees receiving public assistance are far more likely to be enrolled in language programs.

The report maintains that the relationship between language training and employment is sequential. This means that while a person taking language training might not become employed as early as one who starts employment right away without training, the person who opts for training first is more likely to find a higher paying job when he does enter the job market.

"It may be," the report suggests, "that knowledge of English does not have a significant, independent effect on the capacity of a refugee to seek and even find jobs, but that it does affect the capacity to earn sufficient wages to raise the household income above the poverty level."

Relationship Between Public Assistance and Employment Analyzed Public assistance policies and practices were found to exert a significant influence on refugee employment. "The capacity of service providers--particularly voluntary resettlement agencies and employment services--to influence the employment patterns of their clients is, to some extent, determined by the availability of welfare," the report found. This can often be seen as a reflection of where refugees live; California's 80 percent rate of dependency on cash assistance for refugees in their first three years in the United States contrasts with the Texas rate of less than 20 percent.

Labor-force participation rates are generally lower in states that offer generous benefits, such as allowing two-parent families to receive AFDC, than in states with more restrictive eligibility guidelines.

Refugees also take the loss of health benefits into account when deciding whether to accept jobs that do not provide medical coverage. Referring to 1983 research by

Mary Griffin Henderson and Robert Lerman, the report suggests that in many states, the loss of Medicaid benefits negates the income from working at jobs that pay as much as \$5 per hour.

Provisions of the AFDC unemployed-parent program requiring recipients who work 100 hours a month to lose their welfare benefits emerge as a clear disincentive to work, according to the report. The 100-hour requirement makes it difficult to use public assistance as a means to supplement income from the minimum wage jobs available to newly arrived refugees.

Job Placement Influenced Largely by Factors Over Which Volags Have Little Control The RPG study makes it clear that refugee service providers have little control over many of the factors most important to achieving self-sufficiency, such as year of arrival, level of education prior to arrival in the United States, and welfare policies in the state of residence. In addition, the report finds that formal programs have marginal impact on finding jobs.

Refugees more frequently find jobs through informal networks of ethnic and American associates than through formal job services. Forbes writes that job programs generally are not targeted at the hard-to-place refugees who remain unemployed. "It appears that employment services, as they now function, best assist those who would be most likely to find jobs without assistance," the report determines.

RPG Questions Assumptions of Resettlement Program The report suggests that there are measures of adjustment other than economic self-sufficiency that can usefully gauge adaptation to life in the United States. Language training, as an obvious example, has clearly been shown to result in improved English proficiency even if it might not be shown to correlate directly to job placement. Understanding cultural values, the development of culturally appropriate organizations, and participation in the political process are suggested as other measures of adaptation.

RPG questions other assumptions in the refugee resettlement program, as well. Although the government's emphasis on "economic self-sufficiency" has caused most government-funded studies of refugee adaptation

to focus on employment-related measures, RPG points out that many refugees who become employed in the first months after arrival do not become economically self-sufficient. Even among those refugees who receive no public assistance, the report notes, a significant 12 percent remain below the poverty line. "Whether these refugees should be considered to be 'self-sufficient,'" RPG writes, "is a matter of definition."

Adaptation and Integration of Recent Refugees to the United States is available for \$5.50 from the Refugee Policy Group, 1424 16th St., NW, Washington, DC 20036. (202) 387-3015.

CENTRAL AMERICAN ALIENS' ELIGIBILITY FOR PUBLIC ASSISTANCE PROGRAMS STUDIED

The legal eligibility of various classes of Central American aliens in the United States to receive federal benefits is analyzed in a recent Urban Institute study for the Department of Health and Human Services (HHS).

The study, Impacts and Potential Impacts of Central American Migrants on HHS and Related Programs of Assistance by Patricia Ruggles and Michael Fix, finds undocumented aliens to be "clearly ineligible for public benefits" administered by HHS. The authors maintain that the majority of Central Americans in the United States are undocumented. The study determines, however, that Central Americans who are legal permanent residents or legally recognized refugees, parolees, or asylees are clearly eligible for the same benefits as similarly qualified U.S. citizens. On the other hand, those migrants in the legally murky category of "aliens under color of law" have uncertain status with regard to HHS benefits.

Litigation Still Determining Eligibility for "Aliens Under Color of Law" The study finds that eligibility for several programs, including Supplemental Security Income (SSI), Aid to Families with Dependent Children (AFDC), unemployment compensation, and Medicaid are under litigation at this time.

Aliens "under color of law" are defined as those without a legal status that clearly entitles them to permanent residence, but who nevertheless have some sort of temporary or indefinite leave from the Immigration and Naturalization Service (INS) to remain in

the country.

In general, the study finds, if INS does not plan action against an alien within the foreseeable future (such as for those with extended voluntary departure or stays of deportation who have not been given a termination date) he or she will be eligible for benefits under current law. If, however, the alien has action pending before INS (such as petitions for asylum) or with a set date to leave (such as temporary stays of deportation or temporary voluntary departure status) his or her eligibility for benefits is much more problematic.

Most of the important court cases are concerned with interpreting whether aliens are in the United States "with the knowledge and permission of INS." In *Berger v. Heckler*, the authors found that the second circuit of the U.S. Court of Appeals, in August 1985, upheld a decree that "clearly expands the class of aliens eligible for SSI benefits." The authors note that new Social Security Administration guidelines appear to interpret the court's decree to "require that virtually all aliens who are not actually in the process of being deported, even if they have only short-term stays of deportation or voluntary departure status with specific dates of termination, are in the U.S. 'with the knowledge and permission of the INS'."

Another August 1985 appeals court ruling, however, leads to quite different conclusions. In *Sudomir v. McMahon*, the ninth circuit of the U.S. Court of Appeals held that asylum applicants are not eligible for AFDC payments. "It seems reasonable to assume, then," said the authors, "that the court would find asylum applicants to be similarly ineligible for SSI payments."

Work Authorization for People Awaiting Asylum Decisions Usually Denied After Initial Examination At issue, in part, are the lengthy delays inherent in the asylum process, combined with routine denials of work authorization during the waiting period. The study finds that work authorization is usually granted only for the relatively short period before a hearing on the merits of the case. "At that point," the authors observe, "almost all asylum applications from Central Americans are judged to be frivolous, and further work authorization is denied."

The study found that Central Americans in the United States are "typically very poor and in need of a variety of services, especially health care." The study observes a general belief that "very few are currently receiving public welfare benefits from programs such as AFDC, SSI, Food Stamps, and Medicaid." They note one exception, California's Med-Cal program, which appears to provide temporary health care benefits to some Central American migrants.

Demographic Profile of Central American Migrants

In attempting to assess the impact and potential impact of Central American migrants on U.S. public assistance programs, the study analyzed the numbers of migrants in the United States by country of origin, their sources of income, legal statuses, and other demographic and social characteristics.

Although the proportion of families migrating north is growing, 60 to 80 percent of the migrants are males traveling without their families. Central Americans are overwhelmingly concentrated in a few locations, with fully 40 percent of the total U.S. population residing in Los Angeles and the remainder mostly in San Francisco, Texas, Washington, D.C., and New York City. Only 10-15 percent live outside these areas, according to the study.

Hondurans, representing less than 10 percent of the total, are concentrated in New Orleans, and Nicaraguans, constituting 5-10 percent of the total, are found mostly in Miami.

The study estimates that between three-quarters of a million and 1.3 million Central American migrants currently live in the United States and that two-thirds of these are from El Salvador and another 15 to 20 percent from Guatemala. The parameters of the study excluded people from Mexico and the Caribbean.

Meetings and Conferences

• ORR is sponsoring a series of regional consultations concerning the future of refugee resettlement programs. In his letter announcing "Refugee Resettlement: A New Decade," ORR Director Phillip Hawkes said, "We begin the next decade with a new set of

fiscal realities and the potential for changed directions in the refugee program." The agenda for the March 25-26 consultations in Boston includes sessions dealing with refugee health services, the future role of MAAs, jobs for the hard-to-place, and refugee access to public services.

Upcoming meetings will take place in Seattle, April 1-2; Dallas, April 22-23; Chicago, April 29-30; San Diego, May 13-14 (tentative). Atlanta hosted the first consultation from February 25-26. (See related article.)

Reader Exchange

• The U.S. Department of State Bureau for Refugee Programs has requested that we publish the following message to the Cambodian-American community:

Many of you have a member of your family who is in a camp on the border of Thailand and Cambodia. You should be aware that the U.S. government now has a family reunification program for people in this country who wish to sponsor close relatives in the border evacuation sites in Thailand. However, this is a very limited program which applies only to certain people with certain relatives in Thailand. If you meet the following criteria, you should contact your local voluntary refugee resettlement agency or the U.S. Immigration and Naturalization Service (INS) for further information on how to bring your close relatives to the United States.

--If you are a U.S. citizen: your wife or husband, children, parents, brothers, and sisters may qualify for an immigrant visa.

--If you are a permanent resident alien (a "green card" holder): your wife or husband, and unmarried daughters and sons, regardless of age, may qualify for an immigrant visa.

--If you were admitted to the United States as a refugee and are not yet a U.S. citizen: your wife or husband,

and unmarried children who are under the age of 21, may be able to join you in the U.S. under "Visas-93."

* To coincide with the seventh anniversary of the fall of Phnom Penh on April 17, a campaign is being organized to send the White House 100,000 letters asking President Reagan to take an active role in protecting and reunifying Cambodian refugee families living along the Thai border. Letters should be postmarked April 14, in order to reach the White House by the 17th, according to Mary Scully, one of the organizers. Those interested in helping with this appeal should contact Elaine Kenseth-Abel, Cambodia Crisis Committee II, 28 Hurst Rd., Amherst, MA 01002, (413) 253-2920, or Mary Scully, Khmer Health Advocates, Inc., P.O. Box 14703, Barry Square Office, Hartford, CT 06114, (203) 527-0042.

Resources

BILINGUAL VOCATIONAL EDUCATION DEFENDED

An overview of the field of bilingual vocational education (BVE), including descriptions of successful educational strategies and resources, has been published by the National Center for Research in Vocational Education.

In Bilingual Voc Ed, Joan Friedenber and Curtis Bradley provide an historical account of the development of bilingual vocational education and arguments justifying continued commitment to this method of instruction for limited-English-proficient vocational students. They point to an increasingly sophisticated American work force as evidence that today's jobs require English-language skills.

Successful BVE programs should, according to Bilingual Voc Ed, combine bilingual job-skills instruction with simultaneous job-related, English-as-a-second-language (ESL) instruction.

Friedenberg and Bradley criticize the practice of requiring ESL study before moving on to vocational instruction because it "is frustrating for students who desperately seek an occupation to have to wait many months while mastering survival English before even being permitted to begin

vocational training." They observe that "most refugee assistance programs" do, in fact, require ESL instruction before vocational training, despite what they see as the negative effect of that practice on the limited-English students.

The authors also find weaknesses in vocational English-as-a-second-language (VESL) programs because "they do not provide the actual occupational skills training needed to acquire gainful employment."

The 53-page work includes charts of minimal competencies for bilingual vocational instructors, descriptions of specific programs, and sources of non-English and bilingual vocational educational materials.

To order, request publication IN 269, and send \$5.75, prepaid, to the National Center for Research in Vocational Education, National Center Publications, Box F, 1960 Kenny Rd., Columbus, OH 43210.

PUBLIC SERVICES FOR ALIENS OUTLINED

A brochure listing and clarifying government-funded programs to which immigrants are entitled has been produced by the Office of Immigrant Affairs of the New York City Department of City Planning. The brochure describes various immigrant categories and includes a glossary of terms and a chronology showing how restrictions on alien entitlements have evolved.

The brochure, when fully opened, becomes a chart suitable for posting; it lists eligibility requirements, proofs of eligibility, and laws and regulations.

Although specifically designed for New York City, the brochure (and chart) would serve as a useful model for other places.

To obtain a copy, contact the Office of Immigrant Affairs, Department of City Planning, 2 Lafayette St., New York, NY 10007-1363. (212) 566-2944.

U.S. DENIAL OF RESETTLEMENT TO SOME CAMBODIANS IN THAILAND EXAMINED

The U.S. Committee for Refugees will make available in April an "issue brief" on the process by which the United States has denied resettlement to roughly 15,000 Cambodians in Thailand. The report, written by Stephen Golub, is based on extensive

research and interviews he conducted in Thailand and the United States from 1983 through 1985. The report examines why the Cambodians have been rejected and why many in that group may merit resettlement. Copies can be obtained free of charge from the U.S. Committee for Refugees, 815 15th Street, NW, Suite 610, Washington, D.C. 20005, (202) 667-0782.

PROFILE DRAWN OF AMERASIANS IN THE UNITED STATES

The first national, statistical profile of Amerasians in the United States has been published by the Migration and Refugee Service of the U.S. Catholic Conference.

Based on a survey of USCC resettlement caseworkers for Amerasians, In Our Fathers' Land: Vietnamese Amerasians in the United States presents a composite picture of a 1983-84 Amerasian arrival. Typically, the Amerasian is a thirteen-year-old who is accompanied by a mother and half-sibling in a mid-size U.S. city in one of the Sunbelt states. The teenager is enrolled in a public school and making new friends, but is handicapped by a lack of English proficiency. Most yearn to meet their American fathers, according to the composite, and most mothers know the fathers' full names.

Ironically, some of the Amerasian teenagers who fled racial discrimination in Vietnam are experiencing the same phenomenon in the United States. The report suggests that the Amerasians are probably "simply unprepared for their sudden immersion into inner-city America, with its sometimes threatening and/or violent surroundings."

Amerasian children usually live with a single parent. Ten percent of the mothers, the report finds, have mental health problems "bothersome enough to interfere with daily functioning." The same percentage of Amerasian children have serious or severe adjustment problems.

For single copies of the report, send 90¢ and a self-addressed, stamped envelope to Migration and Refugee Services, U.S. Catholic Conference, 1312 Massachusetts Ave., NW, Washington, DC 20005. For more copies, call Dava Walker, (202) 659-6624, or write to her at the above address.

MANUAL ADVISES VOLUNTARY AGENCIES ON PROFIT-MAKING ACTIVITIES

Practical advice to voluntary service agencies on whether and how to generate income is provided by the Greater New York Fund/United Way's Profit for Nonprofits: Myth or Reality.

The manual, directed specifically to small- to medium-sized community-based social service agencies, warns that most such groups do not have the "cushion" of money or manpower to allow them to take the investment risk. Nine out of ten small businesses fold in the first five years, the book points out, and nonprofit agencies entering into enterprise have additional problems. For example, nonprofit organizations generally lack entrepreneurial skills and access to outside capital. They frequently have double agendas--the desire to "do good" and maintain a clean public image as well as make money. "If we limit ourselves to small community-based social service organizations whose business activities are separate from their major mission and who have no built-in audience or market (other than their poor clients)," the book notes, "we have eliminated almost all evidence of successful profit-making activity."

The manual, though, provides a planning and implementation process for earning income, including a structure for estimating costs and a checklist for assessing an agency's ability to enter the market.

Although generally pessimistic about the prospects for success, the manual indicates that voluntary agencies involved in profit-making activities have little cause to fear a loss of their tax-exempt status. Business income is tax exempt, according to the manual, if it is substantially related to the purpose of the organization, is staffed by volunteers, consists of donated merchandise, or is carried on primarily for the convenience of organization members or employees. In any case, the first 15 percent of income from unrelated business, while itself taxable, cannot endanger an agency's tax exempt status, according to the book.

Profit for Nonprofits is available for \$6.00 from the Greater New York Fund/United Way, 99 Park Ave., New York, NY 10016. (212) 557-1050.

Statistics

INDOCHINESE REFUGEE PROGRAM AS OF JANUARY 31, 1986

ARRIVALS IN SOUTHEAST ASIA	Jan. 1986	Jan. 1985	FY 86 Cumul.	FY 85 Cumul. thru Jan. 1985	Cumulative Since April 1975
Total Boat	1,107	1,165	5,667	6,459	629,786
Total Land	223	4,502	8,126	10,997	578,150
Total Direct (includes ODP)	1,412	1,736	7,011	8,386	489,016
Total Arrivals	2,742	7,003	20,804	25,838	1,696,932
RESETTLEMENT IN THE UNITED STATES					
Vietnamese: Boat and Land	1,598	1,880	6,738	7,468	349,872
Direct to U.S. 1975	0	0	0	0	123,000
Direct (ODP)	89	30	352	284	21,795
Subtotal	1,687	1,910	7,090	7,752	494,667
Other	2,519	1,332	6,944	5,551	135,603
Lao	77	195	710	2,079	93,383
Highlanders	62	125	647	261	57,332
Total Departures to the U.S.	4,145	3,562	8,301	15,443	780,985
RESETTLEMENT IN THIRD COUNTRIES					
Direct to FRC 1977-1979	0	0	0	0	263,000
Direct (ODP)	879	987	3,662	4,742	58,173
From First Asylum and RPC's	1,313	1,283	6,432	6,172	407,190
Total Departures to Other Countries	2,192	2,270	10,094	10,914	728,363
TOTAL RESET. IN U.S. AND THIRD COUNTRIES	6,337	6,762	25,485	27,288	1,509,748
ADDITIONAL DEPARTURES					
Voluntary Repatriation	2	48	2	103	4,455
Voluntary Relocation/Other	14	25	135	67	43,793
Total Additional Departures	16	73	137	170	48,248
DECEMBER 31, 1986 POPULATION:					
Indochinese Refugees in First Asylum					153,294
Indochinese Refugees/Dependents in ESL/CO Training					
Bataan					14,406
Galang					1,599
Phanat Nikhom					3,421
Total					19,426
ODP Refugees in Transit in Bangkok					526
Total Indochinese Refugee Camp Population January 31, 1986					173,246
Total Indochinese Refugee Camp Population on January 31, 1985:					181,360
Total number of Indochinese admitted into the U.S. in non-refugee status this fiscal year is:					1,465 (115 first asylum/1,350 ODP)
Source: Bureau for Refugee Programs/U.S. Department of State					

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be addressed to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

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